

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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2005 MAR 25 PM 2:30

UNITED STATES OF AMERICA)
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 v.) CRIMINAL NO. 05-30003-MAP
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 STANELY MIMMS,)
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 Defendant.)

THE GOVERNMENT'S AND THE DEFENDANTS' STATUS
REPORT PURSUANT TO LOCAL RULE 116.5(A)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, and Mickey Harris, counsel for Defendant, hereby submit the following status report pursuant to Local Rule 116.5(A) and Magistrate Judge Neiman's written orders.

1. The parties agree that this is not a complex case and therefore relief from the timing requirements imposed by Local Rule 116.3 is unnecessary.

2. The government has provided automatic discovery to the defendant pursuant to Fed.R.Crim.P. 16.1 (C) and 116.2 of the Local Rules of the United States. The defendant has not yet requested additional discovery. The government has requested reciprocal discovery pursuant to Fed.R.Crim.P. 16(B) (1) (C). Accordingly, the parties agree that it is appropriate for the Court to establish dates for response by the parties.

3. The parties agree that it is premature for a motion

date to be established under Fed.R.Crim.P. 12(c).

4. The parties agree that the time from arraignment, through the present is excludable from the Speedy Trial Act pursuant to 18 U.S.C. Section 3161(h)(1)(f), 18 U.S.C. Section 3161(h)(8)(A) and Local Rule 112.2(A)(1), (2), and (3). Accordingly, the government requests that the Court issue an order indicating that the time from arraignment to the present is excludable pursuant to Local Rule 112.2(B).

5. At this point in time, the parties are uncertain as to whether this case will be resolved by a change of plea or a trial.

6. The parties agree that it is premature to establish a final status conference at this time.

7. Attorney Harris has reviewed the above document and agreed to the above listed terms and conditions.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:


Paul Hart Smyth
Assistant U.S. Attorney



Mickey Harris, Esq.
Counsel for Stanley Mimms